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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/982,058	10/18/2001	Antonino Grado	2000P09009US01	8483

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SIEMENS CORPORATION
INTELLECTUAL PROPERTY LAW DEPARTMENT
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EXAMINER

LAIR, DONALD M

ART UNIT PAPER NUMBER

2858

DATE MAILED: 09/11/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/982,058

Applicant(s)

GRADO ET AL.

Examiner

Donald M. Lair

Art Unit

2858

-- Th MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 October 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Drawings

1. This application, filed under former 37 CFR 1.60, lacks formal drawings. The informal drawings filed in this application are acceptable for examination purposes. When the application is allowed, applicant will be required to submit new formal drawings. In unusual circumstances, the formal drawings from the abandoned parent application may be transferred by the grant of a petition under 37 CFR 1.182.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1 – 7 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Knight (US-2,782,635).

4. In regards to Claims 1, 6, 7, and 9, Knight discloses an apparatus for checking the integrity of physical connections comprising at least one gripper mechanism that moves relative to a device, grasps a selected portion of a wire harness and pulls the wire harness in a direction away from the device it is connected to thereby reveal whether a proper mechanical connection between the wire harness and the device is established (Column 1, lines 12 – 30). The reference fails to disclose the device being used with a fuel injector assembly and its associated wire harness, however the reference does teach using the apparatus with wiring harnesses attached to systems in the “aircraft and related industries.” The wiring harnesses used in aircraft and

Art Unit: 2858

automobiles are sufficient analogous that it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention disclosed by Knight to use it with a fuel injector assembly and its associated harness for the purpose of ensuring physical connectivity.

5. In regards to Claims 2 – 3, Knight does not disclose a plurality of gripper or holding mechanisms; however, the MPEP, section 2144.04 states that “mere duplication of parts has no patentable significance unless a new and unexpected result is produced.” Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention disclosed by Knight to include multiple gripper or holding mechanisms for the purposes of testing multiple wire harnesses.

6. In regards to Claim 4, Knight discloses the apparatus described above, wherein the physical connections include a plurality of clips associated with the wire harness, each clip being adapted to engage a corresponding portion on a corresponding device and wherein the gripping mechanism engages the clip (Fig. 6; Column 4, lines 27 – 69).

7. In regards to Claim 5, Knight discloses the apparatus described above wherein the clip includes a locking member and wherein the gripper mechanism includes a locking surface adapted to urge the locking member into a locked position (Column 3, lines 19 – 56; Column 5, lines 49 – 62).

8. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Knight (US-2,782,635) in view of Applicant Admitted Prior Art (AAPA).

Art Unit: 2858

9. In regards to Claim 8, Knight fails to disclose conducting an electrical continuity test after performing the step of pulling on the wire harness, but the Applicant stated several times that it is well known in the art to conduct a continuity test to ensure connectivity between a wire harness and a device (AAPA: Specification, page 1, paragraph 4). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the testing device disclosed by Knight to include a continuity test step, for the purpose of making the test more comprehensive by including well-known test processes.

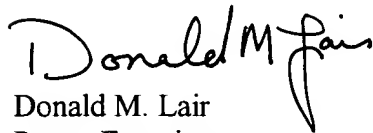
Art Unit: 2858

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Donald M. Lair whose telephone number is (703) 305-4450. The examiner can normally be reached on Monday - Friday, 8 AM - 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, N. Le can be reached on (703) 308-0750. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1436.



Donald M. Lair
Patent Examiner
Art Unit 2858
September 2, 2003



N. Le
Supervisory Patent Examiner
Technology Center 2800